

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:11cv145**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>\$36,083.22 IN UNITED STATES</b>	)	
<b>CURRENCY, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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Pending before the Court is the Motion to Seal [# 8]. Pursuant to 18 U.S.C. § 981(g)(5), the Government moves to file under seal Exhibit A to its Motion to Stay. Section 981(g)(5) provides that in requesting a stay, the Government may “submit evidence ex parte in order to avoid disclosing any matter that may adversely affect an ongoing criminal investigation or pending criminal trial.” 18 U.S.C. § 981(g)(5). The Government, however, has not demonstrated or set forth any argument as to how disclosure of Exhibit A would adversely affect an ongoing criminal investigation or pending criminal trial. Accordingly, the Court **DENIES without prejudice** the Government’s motion [# 8].

Signed: October 3, 2011

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

